

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TYRONE H. MASSEY, :
Plaintiff, : 20-CV-8067 (RA) (OTW)
-against- :
ORDER
CAPT. HOLDER, et al., :
Defendants. :
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ONA T. WANG, United States Magistrate Judge:

Defendants have informed the Court that Plaintiff's CPL Article 730 evaluation has been completed and that Plaintiff has been found fit to proceed with criminal proceedings. (ECF 31-32). Accordingly, the stay on the instant case is **LIFTED**.

Plaintiff has requested that the Court assist him in obtaining pro bono counsel. (ECF 18). Plaintiff's request is **DENIED** without prejudice.¹

The parties shall complete an updated Proposed Case Management Plan for Pro Se Cases, available at <https://nysd.uscourts.gov/hon-ona-t-wang>. Counsel for Defendants shall file the Proposed Case Management Plan by **July 30, 2021**, and mail a copy to Plaintiff.

The Clerk of Court is respectfully directed to lift the stay on this action and mail a copy of this Order to Plaintiff.

¹ The Court cannot at this time say that Plaintiff's claims are "likely to be of substance" as required by *Hodge v. Police Officers*, 802 F.2d 58 (2d Cir. 1986). The Court also notes that, since Plaintiff's request, Plaintiff has retained counsel in some of his other open actions challenging his conditions of, or treatment during, confinement; accordingly, requesting pro bono counsel for Plaintiff would not be an efficient use of the Court's resources. See *Massey v. Morgan et al*, Case No. 1:18-cv-03994-ALC-KHP (Notice of Appearance filed as ECF 97); *Massey v. Sapp et al*, Case No. 1:19-cv-11902-GBD-KNF (Notice of Appearance filed as ECF 60).

SO ORDERED.

Dated: July 12, 2021
New York, New York

s/ Ona T. Wang

Ona T. Wang
United States Magistrate Judge